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SENATE BILL 1087 By
Burks

HOUSE BILL 1142
By McMillan

AN ACT to amend Tennessee Code Annotated, Section 40-11-150, relative to conditions of release on bail for persons charged with domestic abuse related offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-11-150, is amended by deleting from the first sentence of subsection (a) the language "family or household member as defined in § 36-3-601" and substituting instead the language "victim as defined in § 36-3-601(9)".

SECTION 2. Tennessee Code Annotated, Section 40-11-150, is further amended by deleting subsection (a)(1) and substituting instead the following:

(1) A threat to the alleged victim;

SECTION 3. Tennessee Code Annotated, Section 40-11-150, is further amended by deleting from subsection (b)(1) the language "or other family or household member".

SECTION 4. Tennessee Code Annotated, Section 40-11-150, is further amended by deleting the first sentence of subsection (h)(1) and substituting instead the following:

Any offender arrested for any criminal offense defined in Title 39, Chapter 13, in which the alleged victim is a victim as defined in § 36-3-601(9), shall not be released

within twelve (12) hours of such arrest if the magistrate or other official duly authorized to release such offender finds that such offender is a threat to the alleged victim.

SECTION 5. The Tennessee Code Commission is directed to change the catchline for Tennessee Code Annotated, Section 40-11-150, from "Determination of risk to victim or family members prior to release - Conditional release - Discharge of conditions - Notification to law enforcement." to "Determination of risk to victim prior to release - Conditional release - Discharge of conditions - Notification to law enforcement."

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.